

ASSEMBLY BILL

No. 5

**Introduced by Assembly Members Bermudez, Sharon Runner,
and Spitzer**

August 8, 2006

An act to add Chapter 3.26 (commencing with Section 15819.55) to Part 10b of Division 3 of Title 2 of the Government Code, relating to corrections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 5, as introduced, Bermudez. Corrections: training academy.

Existing law establishes a training academy in Galt and a training center in Stockton for correctional officers.

This bill would authorize the Department of Corrections and Rehabilitation to acquire land for, design, construct, or renovate, a training academy in Southern California for correctional officers. The bill would authorize the State Public Works Board to issue revenue bonds to finance that project. The bill also would authorize the department to train cadets in academy classes at prison locations or in partnership with community colleges, as specified.

Existing law authorizes the Director of General Services to sell, exchange, or lease real property known as the Fred C. Nelles Correctional Facility in Los Angeles County.

This bill would delete that provision and instead authorize the department to re-activate that facility as a prison facility or a training facility.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 3.26 (commencing with Section
2 15819.55) is added to Part 10b of Division 3 of Title 2 of the
3 Government Code, to read:

4
5 CHAPTER 3.26. FINANCING FOR SOUTHERN CALIFORNIA
6 CORRECTIONAL OFFICER TRAINING ACADEMY
7

8 15819.55. The Department of Corrections and Rehabilitation
9 may acquire land for, design, construct, or renovate, a training
10 academy in Southern California, as authorized in Section 13602
11 of the Penal Code. The scope and costs of this project shall be
12 subject to approval and administrative oversight by the State
13 Public Works Board, including augmentations, pursuant to
14 Sections 13332.11 or 13332.19.

15 15819.56. For the project approved for financing by the board
16 pursuant to Section 15819.55, the board may borrow funds for
17 project costs, including acquisition, studies, preliminary plans
18 and working drawings, construction and construction related
19 costs from the Pooled Money Investment Account pursuant to
20 Sections 16312 and 16313. Project funds expended prior to
21 project approval by the board shall not be reimbursable from the
22 proceeds of the bonds.

23 15819.57. (a) The board may issue revenue bonds,
24 negotiable notes, or negotiable bond anticipation notes pursuant
25 to this part, to finance the acquisition, design, or construction,
26 and the costs of interim financing, of the training academy
27 project authorized in Section 15819.55. Authorized costs for
28 acquisition, design, construction, and construction related costs,
29 for the project approved for financing by the board pursuant to
30 Section 15819.55, shall not exceed fifty-five million three
31 hundred thousand dollars (\$55,300,000).

32 (b) Notwithstanding Section 13340, funds derived from
33 interim financing, revenue bonds, negotiable notes, or negotiable
34 bond anticipation notes issued pursuant to this chapter are hereby
35 continuously appropriated to the board on behalf of the

1 Department of Corrections and Rehabilitation for the purposes
2 specified in Section 15819.55.

3 15819.58. Notwithstanding Section 15819.57, the amount of
4 revenue bonds, negotiable notes, or negotiable bond anticipation
5 notes to be sold shall equal the following:

6 (a) The cost of acquisition, design, construction or
7 construction management and supervision, and other costs
8 related to the design and construction of the facilities, including
9 augmentations.

10 (b) Sums necessary to pay interim financing.

11 (c) In addition to the amount authorized by Section 15819.57,
12 any additional amount as may be authorized by the board,
13 including, but not limited to, the costs of financing. The costs of
14 financing include, but are not limited to, interest during
15 construction of the project, a reasonably required reserve fund,
16 and the cost of issuance of permanent financing.

17 SEC. 2. Section 13601 of the Penal Code is amended to read:

18 13601. (a) The Corrections Standards Authority shall
19 develop, approve, and monitor standards for the selection and
20 training of state correctional peace officer apprentices. Any
21 standard for selection established under this subdivision shall be
22 subject to approval by the State Personnel Board. Using the
23 psychological and screening standards established by the State
24 Personnel Board, the State Personnel Board or the Department of
25 Corrections and Rehabilitation, ~~Division of Juvenile Facilities~~
26 shall ensure that, prior to training, each applicant who has
27 otherwise qualified in all physical and other testing requirements
28 to be a peace officer in either a youth or adult correctional
29 facility, is determined to be free from emotional or mental
30 conditions that might adversely affect the exercise of his or her
31 duties and powers as a peace officer.

32 (b) The authority may approve standards for a course in the
33 carrying and use of firearms for correctional peace officers that is
34 different from that prescribed pursuant to Section 832. The
35 standards shall take into consideration the different
36 circumstances presented within the institutional setting from that
37 presented to other law enforcement agencies outside the
38 correctional setting.

39 (c) Notwithstanding Section 3078 of the Labor Code, the
40 length of the probationary period for correctional peace officer

1 apprentices shall be determined by the authority subject to
2 approval by the State Personnel Board, pursuant to Section
3 19170 of the Government Code.

4 (d) The authority shall develop, approve, and monitor
5 standards for advanced rank-and-file and supervisory state
6 correctional peace officer and training programs for the
7 Department of Corrections and Rehabilitation. When a
8 correctional peace officer is promoted within the department, he
9 or she shall be provided with and be required to complete these
10 secondary training experiences.

11 (e) The authority shall develop, approve, and monitor
12 standards for the training of state correctional peace officers in
13 the department in the handling of stress associated with their
14 duties.

15 (f) Toward the accomplishment of the objectives of this act,
16 the authority may confer with, and may avail itself of the
17 assistance and recommendations of, other state and local
18 agencies, boards, or commissions.

19 (g) Notwithstanding the authority of the authority, the
20 department shall design and deliver training programs, shall
21 conduct validation studies, and shall provide program support.
22 The authority shall monitor program compliance by the
23 department.

24 (h) The authority may disapprove any training courses created
25 by the department pursuant to the standards developed by the
26 authority if it determines that the courses do not meet the
27 prescribed standards.

28 (i) The authority shall annually submit an estimate of costs to
29 conduct those inquiries and audits as may be necessary to
30 determine whether the department and each of its institutions and
31 parole regions are adhering to the standards developed by the
32 authority, and shall conduct those inquiries and audits consistent
33 with the annual Budget Act.

34 (j) The authority shall establish and implement procedures for
35 reviewing and issuing decisions concerning complaints or
36 recommendations from interested parties regarding authority
37 rules, regulations, standards, or decisions.

38 SEC. 3. Section 13602 of the Penal Code is amended to read:

39 13602. (a) (1) The Department of Corrections and
40 Rehabilitation may use the training academy at Galt or the

1 training center in Stockton. The academy at Galt shall be known
2 as the Richard A. McGee Academy. The training divisions, in
3 using the funds, shall endeavor to minimize costs of
4 administration so that a maximum amount of the funds will be
5 used for providing training and support to correctional peace
6 officers while being trained by the department.

7 *(2) In addition to the locations identified in paragraph (1), the*
8 *department may establish a training academy for correctional*
9 *officers on property owned by the department in Southern*
10 *California. The department may also train cadets in academy*
11 *classes conducted at prison locations or in partnership with*
12 *community colleges, provided the course of study meets the*
13 *requirements of this title.*

14 (b) Each new cadet who attends an academy shall complete
15 the course of training, pursuant to standards approved by the
16 Corrections Standards Authority before he or she may be
17 assigned to a post or job as a peace officer. Every newly
18 appointed first-line or second-line supervisor in the Department
19 of Corrections and Rehabilitation shall complete the course of
20 training, pursuant to standards approved by the authority for that
21 position.

22 (c) The Department of Corrections and Rehabilitation shall
23 make every effort to provide training prior to commencement of
24 supervisory duties. If this training is not completed within six
25 months of appointment to that position, any first-line or
26 second-line supervisor shall not perform supervisory duties until
27 the training is completed.

28 SEC. 4. Section 1000.5 of the Welfare and Institutions Code
29 is repealed.

30 ~~1000.5. Where in any law of this State the name "Whittier~~
31 ~~State School" appears it shall hereafter be understood to mean~~
32 ~~and shall be construed to refer to Fred C. Nelles School for Boys.~~

33 SEC. 5. Section 1 of Chapter 925 of the Statutes of 2004 is
34 amended to read:

35 SECTION 1. The Director of General Services, with the
36 approval of the State Public Works Board, may sell, exchange, or
37 lease for current market value or for any lesser consideration
38 authorized by law and upon those terms and conditions and
39 subject to those reservations and exceptions as the Director of

1 General Services determines are in the best interests of the state,
2 all or any part of the following real property:

3 ~~Parcel 1.—Approximately 24.71 acres with improvements~~
4 ~~thereon, known as the Northern California Youth Reception~~
5 ~~Center and Clinic, located at 3001 Ramona Road in Sacramento,~~
6 ~~Sacramento County, and operated by the Department of—the~~
7 ~~Youth Authority~~ *Corrections and Rehabilitation.*

8 ~~Parcel 2.—Approximately 75 acres with improvements thereon,~~
9 ~~known as the Fred C. Nelles Correctional Facility located at~~
10 ~~11850 East Whittier Boulevard, Los Angeles County, and~~
11 ~~operated by the Department of the Youth Authority.~~

12 SEC. 6. Notwithstanding any other provision of law, the
13 Department of Corrections and Rehabilitation is authorized to
14 re-activate the former Fred C. Nelles Youth Corrections Facility
15 in Whittier. The uses of this facility may include, but are not
16 limited to, a prison facility or a training facility for department
17 correctional officers.

18 SEC. 7. This act is an urgency statute necessary for the
19 immediate preservation of the public peace, health, or safety
20 within the meaning of Article IV of the Constitution and shall go
21 into immediate effect. The facts constituting the necessity are:

22 In order to establish a training academy in Southern California,
23 it is necessary that this act take effect immediately.